

SUBJECT
cc Master.

DCAF04



10 DOWNING STREET

bc Chris
Brearley
(CO).

rc HS

From the Private Secretary

29 April 1985

The Planning System

The Prime Minister chaired a meeting on 29 April to consider the report on the outcome of the discussions so far between your department and the Sainsbury's Group, following the Prime Minister's earlier meeting with the Group on 10 December. Sir John Sainsbury was accompanied by Mr. Christopher Benson (MEPC), Mr. Clifford Chetwood (George Wimpey), Mr. Nigel Mobbs (Slough Estates), Mr. Idris Pearce (Richard Ellis), Mr. John Taylor (Chapman Taylor Partners) and Mr. Roger Suddards (Last Suddards, Solicitors). Ministers present, in addition to your Secretary of State, were the Minister Without Portfolio and Mr. David Trippier. Mr. Hartley Booth was also present.

Your Secretary of State said that the Group had had a series of meetings with DOE; the report contained their agreed conclusions. He was very grateful to the Group for the contribution they had made. The most important single proposal in the report was that a circular be issued reaffirming the presumption in favour of development. This would best be published as part of the wider exercise in deregulation which the Minister Without Portfolio was already engaged in. Your Secretary of State also said he had agreed to address the inspectors collectively, and he would take that opportunity to get across his concerns. He would be discussing with the Treasury the creation of a cadre of senior inspectors, which he thought would make a valuable contribution. He hoped it would be possible to bring in legislation in the next Session to introduce simplified planning zones. He would consider whether the opportunity might also be taken to amend in legislation the status of structure plans in deciding planning applications. He was also considering introducing the idea of citizens' compulsory purchase, under which there would be a right compulsorily to purchase derelict or unused public land. There were other points which your Secretary of State would

be following up. It was important to get the planning system right if employment opportunities were to be maximised.

Sir John Sainsbury had found the discussions with DOE helpful and positive. A great deal depended on getting the appeals procedure right, and on how quickly and efficiently it operated. He hoped the relatively modest changes in the report would amount, in practice, to a significant change for the better in the operation of the planning system.

In discussion the following points were made:

(i) It had yet to be seen how much impact the issue of a circular which simply restated existing policy would have.

(ii) The Group attached importance to reducing the number of use classes in town and country planning.

(iii) The Group thought it might be helpful for your Secretary of State to address the Inspectors regularly, though it was important to avoid over-exposure too.

(iv) The DOE could usefully adopt a tougher approach to timetabling appeals and inquiries; the availability of counsel should not be a determining factor.

(v) The Group remained uneasy about structure plans and the unfavourable way they were used by local authorities. On one occasion when structure plans had led to an application being refused, the process had taken fifteen months between the completion of the Report and the decision (though it was emphasised that this was exceptional).

(vi) The Group still believed that bringing in a higher echelon of Inspectors at an appropriate grade would speed up the appeals process.

(vii) It could be helpful if the Secretary of State had to publish reasons for delays in reaching decisions. There might be a presumption that appeals should be settled in three months or less (from the date of the Inspector's report to the final decision).

(viii) There had been difficulties with site clearance which could themselves create delays in the development process. Your Secretary of State confirmed that he had been looking at this.

(ix) A further source of delay had been that local authorities hold on to development land sometimes for

essentially political purposes.

(x) The involvement of other departments and authorities in the planning process could lead to delays, and the Group felt it was important to pursue the possibility of clearing lines in advance with the appropriate consultative bodies.

(xi) The time taken between initiating a building project and completion was often very much less in other countries. This was in part because builders in e.g. the US had higher levels of productivity, as well as pay. Developers faced fewer regulations and fees for consultancy were generally less than here. In the UK, despite the Secretary of State's recent circulars the degree of control exerted by the local authority planners effectively threatened the integrity and professionalism of architects and designers: there was a powerful case for leaving such matters to developers who had a strong incentive to produce attractive buildings.

(xii) The Minister Without Portfolio asked if members of the Group would let him know of any evidence or examples of excessive regulation in the planning area.

Summing up the discussion the Prime Minister said that the Secretary of State for the Environment would now complete the draft circular taking account of the points made in the discussion. The report which the Group and DOE had provided should be seen as an interim document; the Prime Minister was looking forward to holding a further meeting with the Group in September.

I am copying this letter to Leigh Lewis (Office of the Minister Without Portfolio) and Andrew Lansley (Department of Trade and Industry).

(Mark Addison)

John Ballard, Esq.,
Department of the Environment.